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BEFORE THE ARIZONA CORPORATION COMMISSION
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KRISTIN K. MAYES, Chairman
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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN -9 2010

DOCKETED BY

PAC-WEST TELECOMM, INC.,
Complainant,
vs.
QWEST CORPORATION,
Respondent.

DOCKET NO. T-01051B-05-0495
DOCKET NO. T-03693A-05-0495

PROCEDURAL ORDER

BY THE COMMISSION:

By Procedural Order dated October 30, 2009, the schedule in this matter was suspended pending potential action by the Ninth Circuit Court of Appeals in a related Docket (Level 3 Communications LLC v. Qwest Corporation T-01051B-05-0415, T-03654A-05-0415). On May 5, 2010, in that other docket, Level 3 Communications, LLC ("Level 3") filed a Notice of Final Order and Remand and a Motion for Procedural Conference. Level 3 states in its Motion that the Ninth Circuit demurred from addressing the substantive grounds of Level 3's appeal of Decision No. 68855 (July 28, 2005) and dismissed the case on the grounds that the District Court order was not a final, appealable order. Level 3 requests a Procedural Conference be scheduled jointly with the Pac West Telecomm, Inc. ("Pac West") matter to determine how to proceed.

The October 30, 2009, Procedural Order provided that any party to the proceeding could file a request for Procedural Order and/or Procedural Conference to establish procedures for the ultimate resolution of the issues.

On June 3, 2010, Pac West filed a Response in Support of Level 3's Procedural Recommendation, in which Pac West concurs with Level 3's suggestion for a joint Procedural Conference.

1 IT IS THEREFORE ORDERED that a **Procedural Conference** for the purpose of discussing
2 how to proceed with the resolution of the remand of both the Level 3 and Pac West Orders shall
3 commence on **July 8, 2010 at 10:00 a.m.**,¹ or as soon thereafter as is practical at the Commission's
4 **Tucson offices, Room 222, 400 Wet Congress, Tucson, Arizona 85701. The parties may appear**
5 **telephonically by contacting the Hearing Division at (602) 542-4250 and making arrangements**
6 **for a teleconference line.**

7 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
8 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

9 Dated this 8th day of June, 2010

10 
11 JANE L. RODDA
12 ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
this 8th day of June, 2010 to:

14 Norman Curtright
15 Qwest Corporation
20 E. Thomas Road, 16th Floor
16 Phoenix, AZ 85012

Janice Alward, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007


17 Tom Dethlefs
18 1801 California Street, 10th Floor
Denver, CO 80202-2658

Steve Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

19 Joan S. Burke
20 Osborn Maledon, PA
2929 North Central Ave., 21st floor
Phoenix, Arizona 85012-2793
21 Attorneys for Pac-West

ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
Phoenix, Arizona 85004-1104

22 Michael W. Patten
23 Roshka DeWulf & Patten, PLC
One East Van Buren Street, Suite 800
Phoenix, AZ 85004
24 Attorneys for Level 3

By 
Jane L. Rodda

25
26
27 ¹ The Procedural Conference will be held concurrently with a Procedural Conference in Docket Nos. T-03654A-05-0415
28 and T-01051B-05-0415, and the parties should be prepared to discuss, *inter alia*, whether consolidation of the matters is
in the public interest.